

REMARKS

Applicants submit this response in reply to the non-final Office Action mailed February 18, 2009. Claims 43-46, 48, 49, 51, 53-58, and 62-84 are pending, of which claims 43 and 84 are independent. By this Reply, Applicants have amended claims 43, 70, and 84. No new matter has been added.

In the Office Action, the Examiner rejected claims 43, 45, 46, 48, 49, 53, 54, 57, 66, 73-77, 82, and 84 under 35 U.S.C. § 102(b) as being anticipated by Japanese Pat. Pub. No. 2001-231161 ("Sudo"); and rejected claims 44, 68/43, 69/43, 70/43, 72, 78, and 83 under 35 U.S.C. § 103(a) as being unpatentable over Sudo.

In this Reply, Applicants have amended independent claim 43 to recite, among other things:

An electrical power transmission line comprising: . . . at least one shielding element comprising a plurality of shielding modules . . . , each of said plurality of shielding modules comprising a base and a cover, the base comprising a bottom wall, a pair of side walls, and a pair of flanges integral with the base and extending in a predetermined direction from the end portions of the side walls

Amended independent claim 84 now recites, among other things:

A method for shielding the magnetic field generated by an electrical power transmission line comprising at least one electrical cable, comprising the following steps of: providing at least one shielding element comprised of a plurality of shielding modules arranged side by side . . . each of said shielding modules comprising a base and a cover, the base comprising a bottom wall and a pair of side walls, the cover comprising a main wall, and either the base comprising a pair of integral flanges extending in a predetermined direction from the end portions of the side walls or the cover comprising a pair of integral flanges extending in a predetermined direction from the end portions of the main wall

Support for these amendments can be found in Applicants' specification at least at page 7, lines 26-29 and Figures 1, 2, 4, and 5.

Applicants respectfully traverse all pending rejections for at least the reasons outlined below.

Rejections Under 35 U.S.C. § 102(b)

Applicants respectfully traverse the rejection of claims 43, 45, 46, 48, 49, 53, 54, 57, 66, 73-77, 82, and 84 under 35 U.S.C. § 102(b) as being anticipated by Sudo. In order to properly establish that Sudo anticipates Applicants' claimed invention under 35 U.S.C. § 102, every element of the claims in issue must be found, either expressly or described under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the... claim." See M.P.E.P. § 2131, quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989).

Sudo fails to disclose every element of Applicants' claimed invention. Amended independent claim 43 recites, in part, "the base comprising a bottom wall, a pair of side walls, and a pair of flanges integral with the base and extending in a predetermined direction from the end portions of the side walls." Similarly, amended independent claim 84 recites, in part, "either the base comprising a pair of integral flanges extending in a predetermined direction from the end portions of the side walls or the cover comprising a pair of integral flanges extending in a predetermined direction from the end portions of the main wall." Nowhere does it appear Sudo teaches a pair of flanges that are integral with either the base or cover portions of the magnetic shielding device disclosed therein.

Applicants' specification states:

In order to obtain an effective mitigation action of the magnetic field, both the base and the cover of the transmission line of the invention are substantially continuous, i.e. the outer surface of said base and

of said cover is substantially devoid of any macroscopic interruption.

Specification at page 7, lines 26-29. Thus, in one embodiment (for example, those depicted in Figs. 2, 4, and 5), effective mitigation of the magnetic field created by the cables located within the shielding element can be achieved utilizing either: (1) a base portion comprising integral flanges that overlap a portion of the cover (see Figs. 2 and 5); or (2) a cover comprising integral flanges that overlap a portion of the base (see Fig. 4). In other words, the overlap between the integral flanges and the base or the cover can aid in the mitigation of the magnetic field.

Sudo, on the other hand, does not disclose either a base or cover comprising integral flanges. Rather, Sudo teaches “a gutter member formed by magnetically coupling a plurality of magnetic shielding plates formed by laminating high-permeability steel plates so that its cross sections are in U shape, and a lid member that comprises magnetic shielding plates and is removably and magnetically coupled with the opening of the gutter member.” Sudo at Abstract. Specifically, Sudo discloses a base composed of three magnetic shielding plates that are magnetically coupled to one another in a U-shaped configuration through the use of distinct metallic members 7 and 8, depicted in Figs. 3A and 3B of that reference. These distinct metallic members do not serve to mitigate the magnetic field of a cable located within the shield. Instead, they magnetically couple the plurality of shielding plates to one another.

Thus, Sudo does not disclose, “either the base comprising a pair of integral flanges extending in a predetermined direction from the end portions of the side walls or the cover comprising a pair of integral flanges extending in a predetermined direction from the end portions of the main wall.”

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejections of amended independent claims 43 and 84 based upon Sudo under § 102.

Moreover, claims 45, 46, 48, 49, 53, 54, 57, 66, 73-77, and 82 depend from independent claim 43 and, thus, contain all the elements and limitations thereof. As a result, dependent claims 45, 46, 48, 49, 53, 54, 57, 66, 73-77, and 82 are allowable at least due to their corresponding dependence from independent claim 43.

Rejections Under 35 U.S.C. § 103(a)

Applying 35 U.S.C. § 103(a), the Examiner rejected claims 44, 68/43, 69/43, 70/43, 72, 78, and 83 as being unpatentable over Sudo. To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See M.P.E.P. § 2142, 8th Ed., Rev. 5 (August 2006). Moreover, “in formulating a rejection under 35 U.S.C. § 103(a) based upon a combination of prior art elements, it remains necessary to identify the reason why a person of ordinary skill in the art would have combined the prior art elements in the manner claimed.” USPTO Memorandum from Margaret A. Focarino, Deputy Commissioner for Patent Operations, May 3, 2007, page 2.

A *prima facie* case of obviousness has not been established because, among other things, Sudo does not teach or suggest every feature of Applicants’ claims. Applicants have already established in the previous section that Sudo fails to teach or suggest at least “the base comprising a bottom wall, a pair of side walls, and a pair of flanges integral with the base and extending in a predetermined direction from the end

portions of the side walls,” as recited in amended independent claim 43. The Examiner cites no secondary reference to cure Sudo’s deficiency.

Claims 44, 68/43, 69/43, 70/43, 72, 78, and 83 depend from claim 43, and, thus, contain all the elements and limitations thereof. As a result, dependent claims 44, 68/43, 69/43, 70/43, 72, 78, and 83 should be allowable over the cited references.

Claim Scope

It is to be understood that Applicants are in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification, abstract, and/or shown in the drawings. Rather, Applicants believe that they are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully submit that claims 43-46, 48, 49, 54-58, 66, 68-71, 73, 74, 76-81, and 84 are neither anticipated nor rendered obvious in view of the prior art reference cited against this application. Applicants therefore request entry of this Amendment, reexamination of the application, reconsideration and withdrawal of the claim rejections, and timely allowance of all of pending claims.

If the Examiner believes that a telephone conversation might advance prosecution of this application, the Examiner is cordially invited to call Applicants’ undersigned attorney at (404) 653-6435.

Applicants respectfully submit that the final Office Action contains a number of assertions concerning the related art and the claims. Regardless of whether those assertions are addressed specifically herein, Applicants respectfully decline to automatically subscribe to them.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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